

CIVIL MINUTES  
**UNITED STATES DISTRICT COURT OF ARIZONA – PHOENIX**

United States District Judge David G. Campbell

Date: July 13, 2018

IN RE: Bard IVC Filters Products Liability  
Litigation

Case Number: MD-15-02641-PHX-DGC

**Mark O'Connor, Ramon Lopez,  
 Julia Reed-Zaic, Laura Smith–  
 Telephonic for plaintiffs**

**TELEPHONIC  
APPEARANCES:**

**Elizabeth Helm, James Rogers,  
 James Condo Telephonic for  
 defendant**

**Court Reporter – Patricia Lyons  
 Courtroom Deputy – Traci  
 Abraham**

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**PROCEEDINGS** ☒ **Open Court** ☐ **Chambers** ☐ **Other:**

Telephonic hearing held re: 3<sup>rd</sup> bellwether jury trial September 2018. Court order doc. 11839 concluding that the Court will issue an order granting summary judgment on the statute of limitations in favor of defendants as to plaintiff Carol Kruse discussed.

Plaintiff prepared to replace plaintiff Hyde for the September 18, 2018 trial. Defendant's issue with plaintiff Hyde is the choice of law ruling should be decided first before preparations for a September trial can begin. Plaintiffs agree. Court will review the briefing and issue a ruling by 7/25/2018.

The following extensions to the schedule are as follows: Joint proposed jury questionnaire as to plaintiff Hyde due 7/18/2018; Jury questionnaires mailed 7/20/2018; Jury questionnaires returned 8/17/2018; List of jurors excused for hardship 8/30/2018; Motions in limine due 8/10/2018; Responses to motions in limine due 8/24/2018; Depositions designations due 8/22/2018; final pretrial order and jury instructions due by 8/24/2018; Final pretrial conference with excusal of jurors for hardship will be held on 9/6/2018 at 10:00 a.m. Time limits and dates for trial remain the same as in CMO 34.

Bellwether trials as to plaintiff Mulkey and Tinlin discussed. Plaintiff to file a memorandum within 7 days updating the Court on the health condition of plaintiff Mulkey. Parties to file a joint memorandum within 7 days setting forth each sides view on the feasibility of plaintiff Tinlin for the November 2018 trial.

Defendant's motion for supersedeas bond for the Booker judgment discussed. Court will extend the stay until the deadline for filing of a notice of appeal.